



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

Matthew Box, Chairman  
Southern Ute Indian Tribe  
P.O. Box 737  
Ignacio, CO 81137

Lena Atencio, Director  
Department of Natural Resources  
Southern Ute Indian Tribe  
P.O. Box 737  
Ignacio, CO 81137

RE: Closure of  
Emergency Administrative Order  
Docket No. SDWA-08-2010-0068  
Lake Capote Recreation Area  
Public Water System  
PWS ID #0890002

Dear Chairman Box and Ms. Atencio:

This letter is to inform you of the United States Environmental Protection Agency's (EPA) decision to close the Emergency Administrative Order (Emergency Order) issued on August 13, 2010, to Southern Ute Indian Tribe and its Department of Natural Resources (the Department) as owner and operator of the Lake Capote Recreation Area public water system (the system). EPA has determined that the Tribe and the Department have completed all actions outlined in the Emergency Order and in EPA's Emergency Administrative Order Addendum dated October 6, 2010. Further, since the system has been closed for the season as of October 11, 2010, the water provided by the system no longer presents an imminent and substantial endangerment to public health. Therefore EPA will close the Emergency Order at this time.

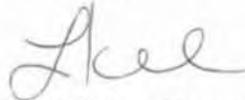
Please be aware that the Southern Ute Indian Tribe is still required to comply with the National Primary Drinking Water Regulations (NPDWR), 40 C.F.R. part 141.

In this regard, EPA's Drinking Water program will continue to oversee implementation of the Tribe's compliance plan and schedule submitted as required under the Emergency Order, as well as in response to EPA's letter of September 8, 2010, regarding potential designation of the system as ground water under the direct influence of surface water.

Questions regarding the ongoing implementation of the Tribe's compliance plan and schedule should be directed to Tiffany Mifflin at telephone (303) 312-6521.

EPA thanks you for the actions taken to protect public health at the water system. If you have any questions about the Emergency Order and its closure, please call Mario Mérida at 303-312-6297.

Sincerely,



Lisa Kahn, Team Leader  
Drinking Water Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk  
Josh Batchelor, Parks Recreation Manager, Division of Wildlife, Depart of  
Natural Resources  
Tom Johnson, Divison Head, Southern Ute Environment Program  
WY DEQ (via email)  
WY DOH (via email)

